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PTO/SB/21 (04-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

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|---|------------------------|-----------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/780,256 |
| | Filing Date | February 17, 2004 |
| | First Named Inventor | Michael L. O'Banion |
| | Art Unit | 3677 |
| | Examiner Name | Katherine W. Mitchell |
| Total Number of Pages in This Submission | Attorney Docket Number | 0275Y-000625/COC |

ENCLOSURES (check all that apply)

| | | | | |
|--|--|--|---------|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): acknowledgement postcard; Applicant's Interview Summary | | |
| <table border="1"><tr><td>Remarks</td><td>The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed.</td></tr></table> | | | Remarks | The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2548. A duplicate copy of this sheet is enclosed. |
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | | | |
|-------------------------|----------------------------------|---------------|------------------|----------|--------|
| Firm or Individual name | Harness, Dickey & Pierce, P.L.C. | Attorney Name | Jeffrey H. Urian | Reg. No. | 46,232 |
| Signature | | | | | |
| Date | September 23, 2005 | | | | |

CERTIFICATE OF TRANSMISSION/MAILING

| | | | |
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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Jeffrey H. Urian | Express Mail Label No. | EV 717 344 976 US (9/26/2005) |
| Signature | | Date | September 26, 2005 |

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EV 717 344 976 US



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/780,256
Filing Date: February 17, 2004
Applicant: Michael L. O'Banion
Group Art Unit: 3677
Examiner: Katherine W. Mitchell
Title: METHOD AND APPARATUS FOR FASTENING STEEL
FRAMING WITH STAGGERED TEETH NAILS
Attorney Docket: 0275Y-000625/COC

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

APPLICANT'S INTERVIEW SUMMARY

Sir:

The Examiner is respectfully thanked for the Telephonic Interview of September 20, 2005. During the Interview, no exhibits were given nor any demonstrations conducted. Claim 85 was discussed relative to the prior art rejection. Agreement was reached as to an Examiner's amendment to claim 85 to define patentable subject matter over the prior art. Claim 107 was discussed relative to the prior art of record. Agreement was reached as to an Examiner's amendment to claim 107 to clarify the unique axial position of the teeth that are on the first and second edges. An Examiner's amendment to paragraph [0051.1] to clarify the term "ksi," was agreed to. Based on the

Examiner's amendment to the specification and to claims 85 and 107, agreement was reached as to the allowability of these claims subject to any additional prior art found by the Examiner.

Respectfully submitted,

Dated: September 26, 2005

By: 
Jeffrey H. Urian, Reg. No. 46,232

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